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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/506,566

02/09/2005

Kari Viljakainen

HEIN-059

1323

20374 7590 01/09/2009

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EXAMINER

LAUX, JESSICA L

ART UNIT

PAPER NUMBER

3635

MAIL DATE

DELIVERY MODE

01/09/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/506,566	<b>Applicant(s)</b> VILJAKAINEN, KARI	
	<b>Examiner</b> JESSICA LAUX	<b>Art Unit</b> 3635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by FE Wall (1939530).**

Claim 1. Wall discloses a spot footing for securing a precast concrete or timber column to a foundation and/or for extending the column, said spot footing comprising a base plate (A) provided with a mounting hole (B), and a cylindrical protective casing consisting of a top plate (F), a side wall part (D,D') having an opening (when K is removed; page 1, lines 109-110) extending from the top plate to the base plate, and two or more anchor bars (the bolts that extend through H; page 1, lines 91-92) secured to the top plate and extending above the top plate, wherein the anchor bars are arranged close to the center of the top plate and thus close to a mounting hole line originating from the base plate (as seen in the figures), the top plate consists of a thicker force-transmitting part (F) and a thin protective part (L,L'), the thin protective part is in the area of the side wall opening, is fittable against a column mold, and forms a sealing

Art Unit: 3635

preventing concrete from flowing into the casing (as seen in the figures), the spot footing being configured and adapted to operate as a load transmitting structure, and the loads are transmitted via the two or more anchor bars, the thicker force-transmitting part top plate part, the wall part and the base plate (as seen in the figures).

Claim 2. A spot footing according to claim 1, characterized in that one or more vertical anchor bars (I) are secured to a back side of the side wall part substantially on an axis of symmetry.

Claim 3. A spot footing according to claim 1, characterized in that the side walls of the protective casing are so shaped that, in respect of material strength, the center of gravity of the cross-section of the wall is located substantially at the center of the bolt hole (as seen in the figures).

Claim 4. A spot footing according to claim 1, characterized in that the hole of the base plate is elliptical (as seen in the figures it is an elongated shape).

Claim 5. A spot footing according to claim 1, characterized in that the top plate of the protective casing is provided with a round hole (G) located in alignment with the hole in the base plate (as seen in the figures), allowing the use of prestressing cables.

Claim 6. A spot footing according to claim 1, characterized in that the anchor bars are so disposed in the top plate that the anchor bars are located substantially around the hole of the base plate (as seen in the figures).

Claim 7. A spot footing according to claim 1, characterized in that the top plate consists of two parts (F, L, L') of different thicknesses, either so that a top plate edge

Art Unit: 3635

fitted against the column mold is made of thinner material than part (as seen in the figures), or so that the thinner part is secured to a frontal surface of the thicker part.

Claim 8. A spot footing according to claim 2, characterized in that the one or more vertical anchor bars is/are secured by welding (page 1, lines 95-105).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JESSICA LAUX whose telephone number is (571)272-8228. The examiner can normally be reached on Monday thru Thursday, 9:00am to 5:00pm (est).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Richard E. Chilcot, Jr./

Application/Control Number: 10/506,566

Page 5

Art Unit: 3635

Supervisory Patent Examiner, Art Unit 3635

/J. L./

Examiner, Art Unit 3635